

THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

DAVID J. CATANZARO,

Plaintiff,

VS.

LYKART TECHNOLOGIES LLC,
GROWKART, TRANSFORM SR
BRANDS LLC, KMART, KMART.COM,
SEARS, SEARS.COM, ALPHABET
INC., GOOGLE LLC, YOUTUBE.COM,
POSHMARK INC., STL PRO, INC.,
TARGET CORPORATION,
TARGET.COM, TOTALHILL.COM,
MICROSOFT CORPORATION, INC.,
APPLE INC. and MOZILLA
CORPORATION

Defendants.

Case No. 3:22-cv-1754

Judge Joseph F. Saporito, Jr.

Referred to: Phillip J. Caraballo

JURY TRIAL DEMANDED

FILED
SCRANTON

MAR 28 2025

PER

DEPUTY CLERK

NOTICE OF POTENTIAL CONFLICT BETWEEN RELATED PROCEEDINGS

Plaintiff, David J. Catanzaro, proceeding pro se, respectfully submits this notice to bring to the Court's attention a potential procedural and substantive conflict between the present matter and the related case pending before this Court: Catanzaro v. Walmart Stores, Inc., et al.; No. 3:22-cv-01768.

In Case No. 3:22-cv-01768, Plaintiff has filed multiple motions, including a motion for default judgment (ECF 93, 114) and a motion for sanctions and default judgment (ECF 116), which remain pending. All defendants in that action are currently in default, and the pending motions directly relate to claims that overlap with those asserted in the Fifth Amended Complaint in this instant matter, including claims for

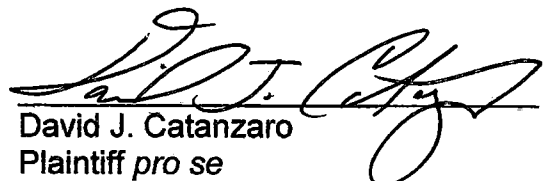
patent infringement, inducement of infringement, and contributory infringement arising from the same patent.

Because both matters are pending before the same Court and involve closely related legal and factual issues, Plaintiff is concerned that permitting further procedural advancement in this proceeding—such as Defendants filing answers to the Fifth Amended Complaint—may result in conflicting positions or judicial inconsistencies that could prejudice Plaintiff's rights in Case No. 3:22-cv-01768.

Plaintiff respectfully urges the Court to consider this notice and either enter rulings without further delay in Case No. 3:22-cv-01768 or defer further proceedings in this instant matter until those critical rulings have been made. Coordinating the timing of these cases is essential to avoid inconsistent outcomes, preserve judicial economy, and prevent significant prejudice to Plaintiff's rights.

Date March 28, 2025

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David J. Catanzaro", is written over a horizontal line.

David J. Catanzaro
Plaintiff *pro se*
286 Upper Powderly Street
Carbondale, PA 18407
Phone: (570) 936-9262
E-mail: davidjosephus@aol.com

CERTIFICATE OF SERVICE

I, David J. Catanzaro, hereby certify that on March 28, 2025, a true and correct copy of Plaintiff's Notice of Potential Conflict Between Related Proceedings was served as follows:

For Represented Defendants:

Pursuant to Fed. R. Civ. P. 5(b)(2)(C), service was made by **U.S. Mail to one counsel of record** for each represented defendant at their official firm mailing address. As a courtesy, copies were also sent via **email** to all additional known counsel of record for the respective parties.

Served by First Class U.S. Mail:

Stephen H Barrett

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1650 Market St

Suite 4900

Philadelphia, PA 19103

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Erika Warren

Warren Kash Warren LLP
2261 Market Street No. 606
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For Unrepresented Defendants:

The following two defendants have not appeared in this case and are not represented by counsel. Copies of the foregoing document were served by First Class **U.S. Mail** to the last known business address shared by both entities:

Lykart Technologies, LLC. and GrowKart

30 N Gould St Suite 5707
Sheridan, WY 82801, US

These defendants are presently in **default**, and Plaintiff reserves the right to move for entry of default as appropriate.

Date March 28, 2025



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